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SUBJECT: DRC: INSIGHT INTO MARCH 23 AGREEMENT NEGOTIATIONS

Classified By: Ambassador William J. Garvelink for reasons 1.4 (b) and (d).

¶1. (C) Summary: Manya Moupondo, GDRC member of the March 23 Agreements Monitoring Committee, briefed diplomatic corps members July 7 on GDRC negotiations with the CNDP and North and South Kivu armed groups. Moupondo reported ongoing discord in the presidential majority coalition over the entry of CNDP into the government and predicted a cabinet reshuffle will not occur before September. The CNDP is reportedly unsatisfied with the pace of political prisoner release and the GDRC treatment of CNDP war wounded. According to Moupondo, the GDRC will soon establish a government commission to harmonize military ranks for integrated armed group combatants. Regardless of the reasons for slow implementation of the March 23 Agreements, the GDRC risks losing credibility with the armed groups if progress is delayed. She said the GDRC is sensitive to the question of rendering Bosco Ntaganda to the ICC, but does not want to jeopardize existing CNDP integration success by acting hastily. End summary.

¶2. (C) Manya Moupondo, member of the GDRC sub-committee to the March 23 Agreement Monitoring Committee ("Comite National de Suivi" in French) provided a July 7 read out on negotiations between the GDRC, CNDP ("Congres National pour la Defense du Peuple" in French) and North and South Kivu armed groups. The Monitoring Committee was established by the GDRC on April 30 to implement each of the March 23 Agreements between the GDRC, CNDP and North and South Kivu armed groups. The briefing was hosted by the UK Embassy and was attended by poloff and members of the diplomatic community (Note: UK, Belgian, Dutch, Japanese and South African political secretaries, Swedish ambassador (Sweden assumed the rotational EU presidency July 1) as well as MONUC political affairs officers were present.) End note.

CNDP Political Participation

¶3. (C) Moupondo said the prospective entry of the CNDP into the majority AMP ("Alliance de la Majorite Presidentielle" in French) governing coalition has caused a rift within the AMP and that the coalition members are "searching for equilibrium". She said that a cabinet reshuffle, including the entry of CNDP representatives, was unlikely before September 2009.

GDRC Care of CNDP War Wounded

¶4. (C) Moupondo said the CNDP claims that road tolls are necessary to finance medical treatment for CNDP wounded until GDRC-provided care is instituted. However, she also reported that FARDC General Didier Etumba informed the GDRC subcommittee that a FARDC medical team is in North Kivu

treating CNDP war wounded on a daily basis, but that the CNDP were not cooperating with the FARDC teams; Etumba nonetheless felt, according to Moupondo, that the provision of government care to CNDP wounded was a positive step under the March 23 Agreements.

Release of CNDP Political Prisoners

¶5. (C) The DRC Minister of Justice, according to Moupondo, has issued orders to release CNDP political prisoners, but she said the ministry claims it must review each case separately prior to release. Consequently, she noted, the process will not result in a single, mass release of the prisoners which CNDP may be anticipating (Note: Embassy sources in Goma report that the CNDP has submitted 254 names for release. End note). Moupondo opined that the Ministry of Justice could facilitate the release process by providing the Monitoring Committee, including the government and armed group subcommittees, with periodic updates on the status of the cases.

Integration of North and South Kivu Armed Groups

¶6. (C) Moupondo said that the government will soon establish a committee to review and harmonize the military grades of integrated former combatants. She did not have any information on the committee composition or projected life span. She said that North and South Kivu armed groups had expressed dissatisfaction with the number of grades they have

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received in comparison to the CNDP. The FARDC, she added, claims that the difference in the number of military grades awarded was a by-product of the rapid, accelerated CNDP integration compared to the other groups, and that the accelerated integration was necessary to assure CNDP participation after the CNDP leadership change of January ¶2009.

DRC Dilemma

¶7. (C) Moupondo noted the dilemma posed by the association of Bosco Ntaganda with the FARDC and stressed that the GDRC intended to honor its international obligations, albeit in a well thought-out manner. She added that the swift removal of Ntaganda would trigger "panic" within integrated former CNDP cadre who feared for their future. She also noted that although Ntaganda is the nominal military chief ("c'est le chef") he is not universally respected within the CNDP.

¶8. (C) Comment: Moupondo's willingness to share information with the international community is in stark contrast to the usual close-hold tendency of many in the Kabila regime. The September time frame for a change in government is consistent with recent reports from embassy sources in Goma. The division in the AMP is possible, especially if AMP deputies from the Kivus object to the inclusion of CNDP in the government. The technical reasons for delays in the release of prisoners, care of CNDP wounded and transfer of rank may or may not be entirely legitimate, but the consequences remain grave -- if implementation delays continue, the armed groups will lose faith in the GDRC and its commitment to honor the terms of the March 23 Agreements. The DRC has consistently claimed "peace before justice" in the case of Bosco Ntaganda and is unlikely to surrender him to the ICC in the short term so long as the integration of CNDP forces into the FARDC is functionally incomplete. End comment.

GARVELINK